



3749
PATENT

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING
DEPOSITED WITH THE U.S. POSTAL SERVICE AS FIRST CLASS
MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR
PATENTS, P.O. Box 1450, ALEXANDRIA, VA 22313-1450, ON

June 11, 2007
Joe Wolfe 6-11-07
SIGNATURE Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Michael J. O'Donnell
et al.
Serial No. : 10/540,695
Filing Date : June 29, 2005
For : BURNER
Group Art Unit : 3749
Attorney Docket No. : 16-589P/US - 3768

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

1. Pursuant to 37 CFR \$1.97 and \$1.98, and in compliance with CFR \$1.56, the Office's attention is directed to the patents, pending applications, publications and other information listed on the attached PTO-1449. Copies of listed foreign patents and other listed publications are enclosed. No copies of the listed U.S. patents and U.S. patent applications are enclosed. Applicant(s) make no admission that the enclosed documents are prior art to the present invention.
2. Regarding each listed document that is not in the English language, an English-language translation accompanies

this Statement as indicated on the attached PTO-1449 or a corresponding U.S. Patent is enclosed or a concise explanation of the relevance of the document is set forth on an attached sheet, or a copy of an English-language search report is attached.

3. Pursuant to 37 CFR \$1.97(b) this Statement is being filed (one must be checked):

- (a) ☐ Within 3 months of the filing date or date of entry into the National Stage.
- (b) ☒ Before the mailing date of a first Office Action on the merits.
- (c) ☐ After the period set forth in 37 CFR \$1.97(b) but before the mailing date of either a final action or a notice of allowance, or an action that otherwise closes prosecution in the application.
 - 1) ☐ A certification is given below,
 - 2) ☐ Enclosed is a check covering the fee (\$180.00) set forth in \$1.17(p) for consideration of this Statement, or
 - 3) ☐ Charge the fee set forth in 37 CFR \$1.17(p) to Deposit Account No. 20-0090.
- (d) ☐ After the mailing date of either a final action or a notice of allowance, but before payment of the issue fee. The required certification and fee is indicated below.
 - 1) ☐ Enclosed is a check covering the fee set forth in 37 CFR \$1.17(p) \$180, or

- 2) ☐ Charge the fee set forth in
37 CFR \$1.17(p) to Deposit
Account No. 20-0090.

4. Certification (if applicable):

- (a) ☐ The undersigned hereby certifies that each item of information contained in this Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than 3 months prior to the filing of this Statement.
- (b) ☐ The undersigned hereby certifies that no item of information contained in this Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the undersigned's knowledge after making reasonable inquiry no item of information contained in the Statement was known to any individual designated in 37 CFR \$1.56(c) more than 3 months prior to the filing of this Statement.

5. The Commissioner is hereby authorized to charge any additional fees, fees underpaid, or credit any overpayment with regard to this Statement to Deposit Account No. 20-0090.

6. Concise Explanation (if needed):

- (1) ☐ Below is a Concise Statement of
Relevance of enclosed non-English language
document(s).

U.S. PATENTS

| | |
|---------------------------|-----------------------------|
| U.S. Patent No. 2,336,816 | U.S. Patent No. 4,608,012 |
| U.S. Patent No. 3,122,197 | U.S. Patent No. 4,924,816 |
| U.S. Patent No. 3,084,736 | U.S. Patent No. 4,927,355 |
| U.S. Patent No. 3,129,749 | U.S. Patent No. 5,240,411 |
| U.S. Patent No. 3,161,227 | U.S. Patent No. 5,317,992 |
| U.S. Patent No. 3,169,572 | U.S. Patent No. 5,340,305 |
| U.S. Patent No. 3,185,204 | U.S. Patent No. 5,355,841 |
| U.S. Patent No. 3,245,458 | U.S. Patent No. 5,433,598 |
| U.S. Patent No. 3,353,583 | U.S. Patent No. 5,435,716 |
| U.S. Patent No. 3,360,028 | U.S. Patent No. 5,511,516 |
| U.S. Patent No. 3,363,662 | U.S. Patent No. 5,520,536 |
| U.S. Patent No. 3,401,000 | U.S. Patent No. 5,575,273 |
| U.S. Patent No. 3,492,972 | U.S. Patent No. 5,632,236 |
| U.S. Patent No. 3,681,002 | U.S. Patent No. 5,791,298 |
| U.S. Patent No. 3,726,633 | U.S. Patent No. 5,875,739 |
| U.S. Patent No. 3,733,170 | U.S. Patent No. 5,915,954 |
| U.S. Patent No. 3,814,573 | U.S. Patent No. 5,984,663 |
| U.S. Patent No. 3,847,536 | U.S. Patent No. 6,019,069 |
| U.S. Patent No. 3,857,670 | U.S. Patent No. 6,435,140B1 |
| U.S. Patent No. 4,510,890 | U.S. Patent No. 6,446,581B1 |
| U.S. Patent No. 4,519,770 | |

FOREIGN PATENTS

Belgium BE627548A
France FR1577719A
Great Britain GB2224822A
Great Britain GB741660A
Japan JP5246536A
Japan JP57164213A
Japan JP60175913A

MISCELLANEOUS DOCUMENTS

"LOW COST SELF-CLEANING RESIDENTIAL GAS RANGE OVEN"
Gas Research Institute Final Report
January 1984-June 1986

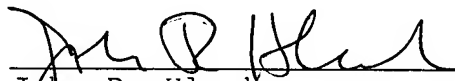
"LITERATURE REVIEW OF INFRA-RED ENERGY PRODUCED WITH GAS BURNERS" by D. W. DeWerth - American Gas Association Laboratories

"A STUDY OF INFRA-RED ENERGY GENERATED BY RADIANT GAS BURNERS" by D. W. DeWerth - American Gas Association Laboratories

"SOME NEW OR UNUSUAL METHODS FOR HEATING WATER WITH GAS" by J. C Griffiths - American Gas Association Laboratories

Copies of the foreign patents and publications are enclosed. The foreign patents were uncovered in patent searches conducted by the Applicants. The Applicants have not obtained translations of the non-English foreign patents, but it is apparent from the drawings that these patents disclose burners.

Respectfully submitted,


John R. Hlavka
Reg. No. 29,076

TAROLLI, SUNDHEIM, COVELL
& TUMMINO L.L.P.
Phone: (216) 621-2234
Fax: (216) 621-4072
Customer No.: 26294

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE
(REV. 6-89) PATENT AND TRADEMARK OFFICE

ATTY DOCKET NO.: 16-589P/US - 3768

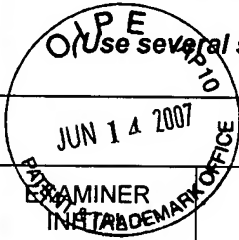
SERIAL NO.
10/540,695

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

APPLICANT(S): Michael J. O'Donnell et al.

FILING DATE: June 29, 2005

GROUP: 3749



U.S. PATENT DOCUMENTS

| DOCUMENT NUMBER | | | | | | | | DATE | NAME | CLASS | SUB CLASS | FILING DATE IF APPROPRIATE |
|-----------------|---|---|---|---|---|---|---|----------|---------------------|-------|-----------|----------------------------------|
| | 2 | 3 | 3 | 6 | 8 | 1 | 6 | 12/14/43 | Thompson | | | |
| | 3 | 1 | 2 | 2 | 1 | 9 | 7 | 2/25/64 | Saponara et al. | | | |
| | 3 | 0 | 8 | 4 | 7 | 3 | 6 | 4/9/63 | Mentel et al. | | | |
| | 3 | 1 | 2 | 9 | 7 | 4 | 9 | 4/21/64 | Hönger | | | |
| | 3 | 1 | 6 | 1 | 2 | 2 | 7 | 12/15/64 | Goss et al. | | | |
| | 3 | 1 | 6 | 9 | 5 | 7 | 2 | 2/16/65 | Constance et al. | | | |
| | 3 | 1 | 8 | 5 | 2 | 0 | 4 | 5/25/65 | Loeb et al. | | | |
| | 3 | 2 | 4 | 5 | 4 | 5 | 8 | 4/12/66 | Patrick et al. | | | |
| | 3 | 3 | 5 | 3 | 5 | 8 | 3 | 11/21/67 | Silhavy et al. | | | |
| | 3 | 3 | 6 | 0 | 0 | 2 | 8 | 12/26/67 | Saponara et al. | | | |
| | 3 | 3 | 6 | 3 | 6 | 6 | 2 | 1/16/68 | Curtis et al. | | | |
| | 3 | 4 | 0 | 1 | 0 | 0 | 0 | 9/10/68 | Spaonara et al. | | | |
| | 3 | 4 | 9 | 2 | 9 | 7 | 2 | 2/3/70 | McLaren | | | |
| | 3 | 6 | 8 | 1 | 0 | 0 | 2 | 8/1/72 | Weller et al. | | | |
| | 3 | 7 | 2 | 6 | 6 | 3 | 3 | 4/10/73 | Vasilakis et al. | | | |
| | 3 | 7 | 3 | 3 | 1 | 7 | 0 | 5/15/73 | Kobayashi et al. | | | |
| | 3 | 8 | 1 | 4 | 5 | 7 | 3 | 6/4/74 | Karlovetz | | | |
| | 3 | 8 | 4 | 7 | 5 | 3 | 6 | 11/12/74 | Lepage | | | |
| | 3 | 8 | 5 | 7 | 6 | 7 | 0 | 12/31/74 | Karlovetz et al. | | | |
| | 4 | 5 | 1 | 0 | 8 | 9 | 0 | 4/16/85 | Cowan | | | |

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP §609;
Draw line through citation if not in conformance and not considered. Include copy of this form with next
communication to the patent applicants' attorney.

FORM PTO-1449 U.S. DEPARTMENT OF
COMMERCE
(REV. 6-89) PATENT AND TRADEMARK
OFFICE

ATTY DOCKET NO.: 16-589P/US - 3768

SERIAL NO. 10/540,695

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

APPLICANT(S): Michael J. O'Donnell et al.

(Use several sheets if necessary)

FILING DATE: June 29, 2005

GROUP: 3749

U.S. PATENT DOCUMENTS

| EXAMINE R INITIAL | DOCUMENT NUMBER | | | | | | | DATE | NAME | CLASS | SUB CLASS | FILING DATE IF APPROPRIATE |
|-------------------------|-----------------|---|---|---|---|---|------|----------|----------------------|-------|-----------|----------------------------------|
| | 4 | 5 | 1 | 9 | 7 | 7 | 0 | 5/28/85 | Kesselring et al. | | | |
| | 4 | 6 | 0 | 8 | 0 | 1 | 2 | 8/26/86 | Cooper | | | |
| | 4 | 9 | 2 | 4 | 8 | 1 | 6 | 5/15/90 | Moore, Jr. et al. | | | |
| | 4 | 9 | 2 | 7 | 3 | 5 | 5 | 5/22/90 | Haire et al. | | | |
| | 5 | 2 | 4 | 0 | 4 | 1 | 1 | 8/31/93 | Abalos | | | |
| | 5 | 3 | 1 | 7 | 9 | 9 | 2 | 6/7/94 | Joyce | | | |
| | 5 | 3 | 4 | 0 | 3 | 0 | 5 | 8/23/94 | Joyce | | | |
| | 5 | 3 | 5 | 5 | 8 | 4 | 1 | 10/18/94 | Moore, Jr. et al. | | | |
| | 5 | 4 | 3 | 3 | 5 | 9 | 8 | 7/18/95 | Joyce | | | |
| | 5 | 4 | 3 | 5 | 7 | 1 | 6 | 7/25/95 | Joyce | | | |
| | 5 | 5 | 1 | 1 | 5 | 1 | 6 | 4/30/96 | Moore, Jr. et al. | | | |
| | 5 | 5 | 2 | 0 | 5 | 3 | 6 | 5/28/96 | Rodgers et al. | | | |
| | 5 | 5 | 7 | 5 | 2 | 7 | 3 | 11/19/96 | Moore, Jr. | | | |
| | 5 | 6 | 3 | 2 | 2 | 3 | 6 | 5/27/97 | Joyce | | | |
| | 5 | 7 | 9 | 1 | 2 | 9 | 8 | 8/11/98 | Rodgers | | | |
| | 5 | 8 | 7 | 5 | 7 | 3 | 9 | 3/2/99 | Joyce | | | |
| | 5 | 9 | 1 | 5 | 9 | 5 | 4 | 6/29/99 | Rodgers | | | |
| | 5 | 9 | 8 | 4 | 6 | 6 | 3 | 11/16/99 | Joyce | | | |
| | 6 | 0 | 1 | 9 | 0 | 6 | 9 | 2/1/00 | Joyce | | | |
| | 6 | 4 | 3 | 5 | 1 | 4 | 0 B1 | 4/16/85 | Cowan | | | |

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP §609;
Draw line through citation if not in conformance and not considered. Include copy of this form with next
communication to the patent applicants' attorney.

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE
(REV. 6-89) PATENT AND TRADEMARK OFFICE

ATTY DOCKET NO.: 16-589P/US - 3768

SERIAL NO.
10/540,695

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use several sheets if necessary)

APPLICANT(S): Michael J. O'Donnell et al.

FILING DATE: June 29, 2005

GROUP: 3749

U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | DOCUMENT NUMBER | | | | | | | | DATE | NAME | CLASS | SUB CLASS | FILING DATE IF APPROPRIATE |
|---------------------|-----------------|---|---|---|---|---|---|----|----------|----------------|-------|-----------|----------------------------------|
| | 6 | 4 | 4 | 6 | 5 | 8 | 1 | B1 | 10/10/02 | Carbone et al. | | | |
| | | | | | | | | | | | | | |

FOREIGN PATENT DOCUMENTS

| DOCUMENT NUMBER | | | | | | | | | | DATE | COUNTRY | CLASS | SUB CLASS | TRANSLATION | |
|-----------------|---|---|---|---|---|---|---|---|--|------|---------------|-------|-----------|-------------|----|
| | | | | | | | | | | | | | | YES | NO |
| | 6 | 2 | 7 | 5 | 4 | 8 | | | | | Belgium | | | | |
| | 1 | 5 | 7 | 7 | 7 | 1 | 9 | | | | France | | | | |
| | 2 | 2 | 2 | 4 | 8 | 2 | 2 | A | | | Great Britain | | | | |
| | 7 | 4 | 1 | 6 | 6 | 0 | | | | | Great Britain | | | | |
| | 5 | 2 | 4 | 6 | 5 | 3 | 6 | | | | Japan | | | | |
| | 5 | 7 | 1 | 6 | 4 | 2 | 1 | 3 | | | Japan | | | | |
| | 6 | 0 | 1 | 7 | 5 | 9 | 1 | 3 | | | Japan | | | | |

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

| | | |
|--|--|---|
| | | "LOW COST SELF-CLEANING RESIDENTIAL GAS RANGE OVEN" Gas Research Institute Final Report ; January 1984-June 1986 |
| | | "LITERATURE REVIEW OF INFRA-RED ENERGY PRODUCED WITH GAS BURNERS" by D. W. DeWerth – American Gas Association Laboratories |
| | | "A STUDY OF INFRA-RED ENERGY GENERATED BY RADIANT GAS BURNERS" by D. W. DeWerth – American Gas Association Laboratories |
| | | "SOME NEW OR UNUSUAL METHODS FOR HEATING WATER WITH GAS" by J. C. Griffiths – American Gas Association Laboratories |

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP §609;
Draw line through citation if not in conformance and not considered. Include copy of this form with next
communication to the patent applicants' attorney.